



City of Chicago
Rahm Emanuel, Mayor

Department of Law

Stephen R. Patton
Corporation Counsel

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March 6, 2013

Response sent via Email

Maria Moser
MuckRock News
DEPT MR 2865
PO Box 55819
Boston, MA 02205-5819
2865-76799006@requests.muckrock.com

Dear Ms. Moser:

This letter is in response to the Freedom of Information Act ("FOIA") request received by the City of Chicago Office of the Mayor on February 18, 2013 seeking:

Emails between the Walton Family Foundation and the Chicago mayor's office, from 2008-2013 mentioning the words charter, school choice, and TFA.

The FOIA provides in 5 ILCS 140/3(g) that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.

I am requesting clarification as to what you are seeking when you use the phrase, "*Emails between the Walton Family Foundation and the Chicago mayor's office, from 2008-2013 mentioning the words charter, school choice, and TFA.*" Because of the broadness of the phrasing, the language could potentially include a myriad of documents that would be exempt from disclosure. Also, without further clarification, a massive search would be required to look for documents that would be included under the umbrella of "*Emails between the Walton Family Foundation and the Chicago mayor's office, from 2008-2013 mentioning the words charter, school choice, and TFA.*" Thereby, as your FOIA request is currently written, the dedication of staff and/or resources is unduly burdensome on the daily operations of the City of Chicago Mayor's Office.

Your FOIA request is also unduly burdensome because it includes e-mails. It is onerous to conduct an e-mail search given the parameters set forth in your request. The City's e-mail search engine has the following requirements for a search: (1) the e-mail address of the account you wish searched; (2) key words you wish to search for; (3) the e-mail address of each individual's mailbox, if you seek e-mail correspondence to and from two individuals; and (4) the timeframe to be searched.

While your request includes search terms, the City of Chicago Mayor's Office would need to recreate each and every mailbox for every City of Chicago Mayor's Office employee for the timeframe of January 1, 2008 to the present, which is both unduly burdensome and costly. This includes the staff of former Mayor Daley along with the staff of Mayor Emanuel. That aside, after recreating each of these e-mail boxes, each and every e-mail message a City of Chicago Mayor's Office employee received or sent would have to be downloaded and reviewed to determine if it is responsive to your request or is exempt from disclosure.

Therefore, it is necessary that your FOIA request seeking "*Emails between the Walton Family Foundation and the Chicago mayor's office, from 2008-2013 mentioning the words charter, school choice, and TFA*" be narrowed and clarified. If you would like assistance in narrowing your request, please contact me and I will assist. Otherwise, as explained above, as your FOIA request is currently drafted, the City of Chicago Mayor's Office is unable to respond to the request.

If you agree to narrow your request, you must submit a revised written request to my attention. The City of Chicago Mayor's Office will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you will have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at (217) 558-0486. You may also seek judicial review of a denial under 5 ILCS 140/11 of FOIA.

Sincerely,



Roderick Drew
Freedom of Information Officer
312-744-1575